

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION**

**ASD SPECIALITY HEALTHCARE, INC., d/b/a
ONCOLOGY SUPPLY COMPANY
2801 Horace Shepard Drive,
Dothan, Alabama 36303,**

Plaintiff,

vs.

**ROBERT G. HICKES, M.D.,
1301 Trumansburg Road, Suite Q
Ithaca, New York 14850,**

Defendant.

**CIVIL ACTION NO.:
1:05CV592-T**

RESPONSE TO REQUEST FOR ADMISSION

COMES now ROBERT G. HICKES, M.D. ("Defendant"), and for his response to the request for admission says as follows:

1. Denied. However, admitted that Hickes' professional corporation ordered and received such products.
2. Denied.
3. Denied.
4. Denied.
5. Admitted.
6. Denied.
7. Denied.
8. Denied.

9. Admitted.
10. Denied.
11. Denied.
12. Denied.
13. Denied.
14. Denied.
15. Denied.
16. Admitted as to citizenship, but otherwise denied.
17. Denied.
18. Denied.
19. Denied.
20. Denied.
21. Denied.
22. Denied.
23. Denied.
24. Denied.
25. Admitted as to amount, but not as to liability of Dr. Hickes.

\s\ C. Ellis Brazeal III

Attorney for the Defendant, Robert G.
Hickes, M.D.

OF COUNSEL:

Walston, Wells, & Birchall LLP
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Birmingham, Alabama 35203
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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Response to Request for Admissions has been severed electronically to the following said individuals and/or by placing same in the U.S. First Class Mail, as follows:

James J. Robinson
Heath A. Fite
BURR & FORMAN LLP
3100 SouthTrust Tower
420 North 20th Street
Birmingham, Alabama 35203

This the 17th day of November, 2005.

\s\ C. Ellis Brazeal III
OF COUNSEL